

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FDIC as Receiver for AMTRUST BANK, f/k/a
Ohio Savings Bank, a federal savings bank, et al.,

Case No. 2:10-cv-00439-JCM-VCF

Plaintiffs,

ORDER

vs.

MOTION TO INTERVENE (ECF No. 270)

REX H. LEWIS, an individual, et al.,

Defendants.

Before the Court is All Safe, LLC; AIDS Research, LLC; Begona, LLC; Five Springs, LLC; and WBS, LLC's (the "Woman US Entities") Motion to Intervene. (ECF No. 270). For the reasons stated below, the Judgement Creditors' motion is granted in part and denied in part.

On July 11, 2017, Iota Violet, LLC; Iota Coral, LLC; Iota Cinnamon, LLC; Iota Red, LLC; and Iota Royal, LLC files a motion to appoint a receiver in this case. (ECF No. 265). On July 27, 2017, the Woman US Entities filed a motion to intervene, arguing the motion to appoint a receiver impacted the Woman US Entities' property because of the motion's broad scope. (ECF No. 270 at 8-10). The Court allowed the Woman US Entities' counsel to argue at the October 16, 2017 hearing in relation to the motion to appoint a receiver. The Court has now recommended (1) granting the motion to appoint a receiver for certain named Defendants in this case but (2) denying the receiver authority to take actions regarding any third parties.

"On timely motion, the court must permit anyone to intervene who...claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest." Fed. R. Civ. P. 24(a)(2). The Court allowed the Woman US Entities' counsel to argue at the October 16, 2017 hearing

1 because their property interests could have been impacted by the Iota Entities' motion to appoint a
2 receiver. However, because the Court now recommends that any receiver appointed in this case not be
3 granted authority over third parties, the Woman US Entities' property interests are not, at the current state
4 of the record, implicated in this action.¹

5 ACCORDINGLY, and for good cause shown,

6 IT IS HEREBY ORDERED that the Woman US Entities' Motion to Intervene (ECF No. 270) is
7 GRANTED IN PART AND DENIED IN PART.

8 IT IS FURTHER ORDERED that the motion is granted to the extent that the Woman US Entities'
9 counsel was permitted to argue at the October 16, 2017 hearing relating to the motion to appoint a receiver
10 (ECF No. 265).

11 IT IS FURTHER ORDERED that the motion to intervene is denied in all other respects.

12 IT IS SO ORDERED.

13 DATED this 24th day of October, 2017.

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17 CAM FERENBACH
18 UNITED STATES MAGISTRATE JUDGE
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25 ¹ Should the Court's Report and Recommendation not be accepted, the Woman US Entities may have cause to refile their motion to intervene.